

## DISPOSITION OF JUSTICE COURT FINES, FEES, AND FORFEITURES 07/08

<b><u>Receipt</u></b>	<b><u>Type of Ordinance</u></b>	<b><u>Disposition</u></b>
Surcharge	85% Felony Surcharge or class A misdemeanor, Title 41, Chapter 6, Article 5 DUI & Reckless Driving or any class B misdemeanor not classified within Title 41. 35% Surcharge on any other offense except non-moving traffic violation or when community service is ordered in lieu of fine (UC 63-63A-1)	State Treasurer according to UC 63-63a-2(2)(a)(b)
Security Surcharge	A security surcharge of \$32 shall be assessed on all convictions for offenses listed in the uniform bail schedule adopted by the Judicial Council and moving traffic violations. (UC 78A-7-122)	<p>The security surcharge shall be allocated as follows:</p> <p>(a) the assessing court shall retain 20% of the amount collected for deposit into the general fund of the governmental entity; and</p> <p>(b) 80% shall be remitted to the state treasurer to be distributed as follows:</p> <p>(i) 62.5% to the treasurer of the county in which the justice court which remitted the amount is located;</p> <p>(ii) 25% to the Court Security Account created in Section 78a-2-602; and</p> <p>(iii) 12.5% to the Justice Court Technology, Security, and Training Account created in Section 78A-7-301.</p> <p>The court shall remit money collected in accordance with Title 51, Chapter 7, State Money Management Act. (UC 78A-7-122(3) and (4).</p>
Fines and Forfeitures (not otherwise listed below)	Municipal or County (UC 78A-7-120(1))	<p>1/2 to Local Gov. responsible for court</p> <p>1/2 to Local Gov. which prosecutes</p>
Fines and Forfeitures	Wildlife, UC 23 (UC 78A-7-120(2)(a))	<p>85% to State Treasurer (for distribution to the State Div. of Wildlife).</p> <p>15% to Local Gov. responsible for court</p>

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Fines and Forfeitures	Off-Highway, UC 41-22 (UC 78A-7-120(2)(b))	85% to State Treasurer (for distribution to the State Div. of Parks & Recreation). 15% to Local Gov. responsible for court
Fines and Forfeitures	Boating Act, UC 73-18 (UC 78A-7-120(2)(b))	85% to State Treasurer (for distribution to the State Div. of Parks & Recreation). 15% to Local Gov. responsible for court
Fines and Forfeitures	Maximum weight limits & Overweight permits UC 72-7-404, 406. (UC 78A-7-120(4))	The assessing court shall retain the first \$50 (see next row) and the remainder of the fine shall be paid to the State Treasurer (for distribution to the State Class B & C road account). See statute for calculation of fine.
Fees on Overweights & Over Permits	Uniform Fine & Bail Schedule \$50 for trial case; case w/judge time; or bail forfeiture	1/2 to Local Gov. which prosecutes 1/2 to Local Gov. responsible for court
Fines and Forfeitures	UC 53B-3-107 Traffic violations (State Institutions of Higher Education)	100% to the State Treasurer (for distribution to the institution of higher education).
Fines and Forfeitures	UC 41-6a-1713(2) or UC 72-7-409(2), second or subsequent violation	60% to State Treasurer (for distribution to the State Transportation Fund). 40%, 1/2 to the treasurer of the Local Gov. responsible for court and 1/2 to the treasurer of the Local Gov. which prosecutes
Fines and Forfeitures	UC 72-7-409(C)(2), second or subsequent violation	50% to State Treasurer (for distribution to the State Transportation Fund). 50%, 1/2 to the treasurer of the Local Gov. responsible for court and 1/2 to the treasurer of the Local Gov. which prosecutes

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Plea in Abeyance Fee	<p>UC 77-2a-3(5)  UC 77-2-4.2(3)(a) (3) In all cases which are compromised pursuant to the provisions of Subsection (2):  (a) the court, taking into consideration the offense charged, shall collect a plea in abeyance fee which shall:  (i) be subject to the same surcharge as if imposed on a criminal fine;  (ii) be allocated subject to the surcharge as if paid as a criminal fine under Section 78A-5-110 and a surcharge under Title 63, Chapter 63a, Crime Victim Reparation Trust  (iii) be not more than \$25 greater than the bail designated in the Uniform Bail Schedule.</p>	<p>State Treasurer (surcharge portion), remaining portion 1/2 to Local Gov. which prosecutes  1/2 to Local Gov. responsible for court</p>
Fees Charged for Traffic School, Class, or Other Rehabilitative Program	<p>UC 77-2a-3(5)  UC 77-2-4.2  If no plea in abeyance fee is collected, a surcharge on the fee charged for the traffic school or other school, class, or rehabilitative program shall be collected. The surcharge is collected and remitted in the same manner as if the traffic school fee and surcharge had been imposed as a criminal fine and surcharge.</p>	<p>State Treasurer (surcharge portion), local government, or traffic school provider.</p>
DUI Assessment	<p>Full compensation for treatment (UC 62A-15-502 and 503)</p>	<p>State Treasurer, local government, or rehabilitation agency</p>

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Abstract	UC 78A-2-301(1)(m)(ii) The fee for filing an abstract or transcript of judgment of a court of law of this state or a judgment, order, or decree of an administrative agency, commission, board, council, or hearing officer of this state or of its political subdivisions other than the Utah State Tax Commission, is \$40.	City or Town; County
Audio Tape Copy	CJA Rule 4-202.08(3)(C) audio tape: \$10.00 per tape.	City or Town; County
Certification/Certified Copies	UC 78A-2-301(1)(y) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.	City or Town; County
Collections Cost (collection cost on NSF check \$20)	UC 7-15-1(4)(b)	City or Town; County
Contempt fine	UC 78B-6-308 Fine not to exceed \$500	City or Town; County
Copy Fee \$ .25 a page	CJA Rule 4-202.08(3)(A) paper except as provided in (H): \$.25 per sheet.	City or Town; County
Court Costs	UC 77-32a-1; UC 77-32a-2; UC 77-32a-3	City or Town; County
Electronic Payment Fee	UC 10-8-85.6(3) A municipality that accepts an electronic payment may charge an electronic payment fee. UC 17-15-28(3) A county that accepts an electronic payment may charge an electronic payment fee.	City or Town; County

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Exemplified Copies	UCA 2-301(z) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per page.	City or Town; County
Expungement \$65 for a petition for expungement	UC 77-18-11; CJA Rule 4-207(3)	City or Town; County
Floppy Disk / CD Copy	CJA Rule 4-202.08(3)(E) floppy disk or compact disk other than of court hearings: \$10.00 per disk.	City or Town; County
Garnishment Small Claims	UC 78A-2-301(v) The fee for a writ garnishment is \$35	City or Town; County
Postage - Copies	CJA Rule 4-202.08(4) <i>Mailing</i> . The fee for mailing is the actual cost. The fee for mailing shall include necessary transmittal between courts or offices for which a public or private carrier is used.	City or Town; County
Return Check Fee (service charge \$20)	UC 7-15-1(2)(B)(II)(b)(ii)	City or Town; County
Small Claims Filing Fee 0K-2K \$45	UC 78A-8-105(2); UC 78A-2-301(1)(C)(i); UC 78A-7-121	City or Town; County
Small Claims Filing Fee 2K-MORE \$70	UC 78A-8-105(2); UC 78A-2-301(1)(c)(ii); UC 78A-7-121	City or Town; County
Small Counter Filing Fee 0K-2K \$35	UC 78A-8-105(2); UC 78A-2-301(1)(e)(i); UC 78A-7-121	City or Town; County
Small Counter Filing Fee 2K-MORE \$50	UC 78A-8-105(2); UC 78A-2-301(1)(e)(ii); UC 78A-7-121	City or Town; County
Small Claims Appeal processing fee \$10	UC 78A-7-121; UC 78A-8-105	City or Town; County

<b>Receipt</b>	<b>Type of Ordinance</b>	<b>Disposition</b>
Special Searches	CJA Rule 4-202.08(5)(A)-(F)	City or Town; County
Telephone/FAX Charge	CJA Rule 4-202.08(4)(b) <i>Fax</i> . The fee for faxing is \$5.00 for 10 pages or less. The fee for additional pages is \$.50 per page.	City or Town; County
Traffic School Fee	Amount set by local government; not a court fee.	City or Town; County
Video Tape Copy	CJA Rule 4-202.08 (3)(D) video tape: \$15.00 per tape	City or Town; County